

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 6:12-CV-499-MHS
	§	LEAD CASE
CLEAR CHANNEL BROADCASTING, INC.,	§	
	§	Case No. 6:12-CV-595-MHS
Defendant.	§	CONSOLIDATED CASE
	§	
	§	<b>ORAL ARGUMENT REQUESTED</b>
	§	<b>JURY TRIAL DEMANDED</b>

**DECLARATION OF RICHARD BECK IN SUPPORT OF  
DEFENDANT CLEAR CHANNEL BROADCASTING INC.'S  
MOTION TO TRANSFER VENUE  
TO THE SOUTHERN DISTRICT OF NEW YORK**

I, Richard Beck, declare and state as follows:

1. I am a controller for RCS, a division of Clear Channel Management Services, Inc., a subsidiary of Defendant Clear Channel Broadcasting, Inc. ("Clear Channel"). All of the facts set forth herein are known to me personally, and if called as a witness, I could and would testify competently thereto.

2. I am informed that the complaint filed in this case accuses the "software, systems, and technology for recognizing and monitoring content" offered by RCS and Media Monitors, specifically, "Media Monitors monitoring and verification software, systems, and technology." [D.I. at 1, ¶ 27]

3. RCS was founded in Westchester County, New York, in 1979, and Media Monitors was created in 2003. The worldwide headquarters of RCS and Media Monitors is White Plains, New York, and this is the location where most design and development has been conducted throughout the history of the company.

4. Clear Channel acquired RCS and its subsidiary Media Monitors in 2006, but they maintained their entire management team and although RCS and Media Monitors merged with Clear Channel Management Services, Inc., in 2008, operations and management continue to be based in White Plains.

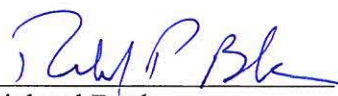
5. RCS and Media Monitors have nearly 120 employees at the worldwide headquarters located at 445 Hamilton Avenue, White Plains, New York, which is RCS's most populated office. Neither division has any employees in the Eastern District of Texas.

6. The majority of employees with knowledge relevant to this case, including information about the design, development, operation, sales, and marketing of the accused products live or work in or around White Plains, New York.

7. The majority of documents and electronically stored information regarding the design, development, operation, sales, and marketing of the accused products is located in White Plains, New York.

8. RCS and Media Monitors are not aware of any witnesses residing in the Eastern District of Texas, and believe that the vast majority of employees on which they would rely for testimony or who would have relevant documents are based in or around White Plains, New York.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed this 4th day of February, 2014, at White Plains, New York.

  
Richard Beck